

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMERICAN CIVIL LIBERTIES UNION, and
AMERICAN CIVIL LIBERTIES UNION OF
MASSACHUSETTS,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
JUSTICE, FEDERAL BUREAU OF
INVESTIGATION, and DRUG
ENFORCEMENT ADMINISTRATION

Defendants.

C.A. No. 1:19-CV-12242-WGY

JOINT STATEMENT

Plaintiffs American Civil Liberties Union (“ACLU”) and American Civil Liberties Union of Massachusetts (“ACLUM”) (collectively, the “Plaintiffs”) and Defendants United States Department of Justice (“DOJ”), Federal Bureau of Investigation (“FBI”), and Drug Enforcement Administration (“DEA”) (collectively, the “Defendants”) hereby submit this joint statement and proposed schedule for the litigation.

This is a FOIA case arising from a request for records submitted by the Plaintiffs to the Defendants on January 18, 2019. *See* Complaint (D.E. 1) ¶23 & Ex. A. The parties previously conferred regarding the proposed schedule for the initial phase of this litigation. The parties jointly proposed, and the Court adopted, the following schedule:

- February 17, 2020: DEA produces all responsive records;
- March 16, 2020: FBI begins rolling production of responsive records; and
- May 15, 2020: Parties submit status report and updated scheduling proposal, including proposed deadline for FBI to complete production of records.

The parties report that DEA has now completed its intended production, and Plaintiffs are reviewing those records. FBI made an initial production, but has been delayed in making further productions due to logistical difficulties arising from the coronavirus pandemic. The FBI anticipates making a further production in late May or early June.

Accordingly, in light of the delays resulting from the pandemic, the parties respectfully request that the Defendants' obligations to answer or otherwise respond to the Complaint be temporarily stayed, pending the further scheduling proposal of the parties to be submitted on June 15, 2020.

Dated: May 15, 2020

FOR THE PLAINTIFFS,

/s/ Daniel L. McFadden

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FOR THE DEFENDANTS:

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